

February 21, 2019

VIA ONLINE SUBMISSION

National Freedom of Information Officer

U.S. Environmental Protection Agency
William Jefferson Clinton Federal Building
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Regional Freedom of Information Officer

U.S. EPA, Region 10
Office of Ecosystems, Tribal and Public Affairs
1200 6th Avenue ETPA-124
Seattle, WA 98101

RE: Freedom of Information Act Request Pursuant to 5 U.S.C. § 552

Dear FOIA Officer,

We represent S 212th St LLC (“Company”), and write to file a U.S. Environmental Protection Agency (“EPA”) public records request in accordance with the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, *et seq.*, (“Request”). We seek the Requested Records for the Requested Identifiers, all of which are defined *infra*.

I. Request Administration & Fees

The headings herein are not intended to limit the scope of the public records requested. All public records responsive to this Request (“Responsive Records”) should be provided electronically and in their entirety, including all attachments, enclosures, and exhibits.

Paper documents should be scanned. Electronic records should be produced in their unlocked, native format with all original metadata, filenames, and attachments, if any. Please provide Responsive Records as they are located and copied, rather than waiting until all Responsive Records are found.

The Company’s fee category is commercial, and the Company agrees to arrange for payment of reasonable search and production costs. If these costs exceed \$250, however, please notify me before producing the documents. Please do not close this Request and direct us to “MyProperty” or the EPA’s website.

We understand that we can expect a response from EPA within 20 days of receipt of this Request. If the scope of this Request is such that you expect unreasonable delay in processing it, please contact me immediately to reach an agreement for responding in installments.

In the event you deny all or part of this Request, please cite each specific statutory exemption you think justifies your withholding information, and please review such material for possible discretionary disclosure. In accordance with 5 U.S.C. § 552(b), please provide all severable portions of any otherwise exempt document. Please also notify me of any appeal procedures available under the law.

II. Requested Records

We request the following public records, since the inception of time through the date of this Request, regardless of format, medium, or physical characteristics, and including electronic records, and information, as they relate to:

1. Environmental records, including, but not limited to, underground storage tanks (USTs); above ground storage tanks (ASTs); historical, threatened, suspected, or actual contaminant, petroleum, chemical, and hazardous materials storage, discharges, releases, spills, and incidents; corrective actions, citations, notices of violation, and other correspondences from any local, municipal, state, tribal, federal, legislative or judicial agency, administrative body, regulatory agency or tribunal
2. Environmental documents, including, but not limited to, UST/AST records; Phase I, Phase II, and Phase III reports; soil, groundwater, and soil vapor analytical data; environmental investigation records; discharge permits; potable wells and monitoring wells; septic systems; health and environmental permits; health and environmental violations, enforcement and compliance; and other related areas
3. Documents, permits, plans, applications, entitlements, studies, records, and correspondences relating to the following statutes:
 - 3.1 Clean Air Act (CAA)
 - 3.2 Clean Water Act (CWA)
 - 3.3 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
 - 3.4 Endangered Species Act (ESA)
 - 3.5 National Environmental Protection Act (NEPA)
 - 3.6 Resource Conservation and Recovery Act (RCRA)
 - 3.7 Superfund Amendments and Reauthorization Act (SARA)
 - 3.8 Washington's Model Toxics Control Act (MTCA)
 - 3.9 Washington's State Environmental Protection Act (SEPA)

III. Requested Identifiers

We request the forgoing Requested Records, since the inception of time through the date of this Request, regardless of format, medium, or physical characteristics, and including electronic records, and information, as they relate to (collectively, the "Requested Identifiers"):

1. Requested Records, associated files, permits, applications, reports, plans, studies, documents, correspondences, and related items for King County Tax Parcel No. and all adjoining right-of-ways ("Requested Area"):
 1. 0722059001
 2. 0722059004
 3. 0722059030
 4. 0722059049
 5. 0722059054
 6. 0722059066
 7. 0722059075
 8. 0722059076
 9. 0722059089
 10. 0722059108
 11. 0722059109
 12. 0722059111
 13. 0722059112
 14. 0722059113
 15. 0722059114
 16. 0722059116
 17. 1750100010
 18. 1750100020
 19. 1750100030
 20. 1750100040
 21. 1750100050

22. 1750100060	27. 1750100110	32. 1750130000
23. 1750100070	28. 1750100120	33. 2205070004
24. 1750100080	29. 1750100130	34. 7757800181
25. 1750100090	30. 1750100140	35. 8858300040
26. 1750100100	31. 1750100150	36. 8858300050

2. Requested Records, associated files, permits, applications, reports, plans, studies, documents, correspondences, and related items as they relate to Washington Department of Ecology (“Ecology”) identifiers:
 1. Location ID: TSPMAIN021
 2. Location Name: Kent Sidehill
 3. Study ID: TSP-MAIN
 4. Study Name: Tacoma Smelter Plume (“TSP”) Phase II Mainland Footprint Study
 5. Study ID: TSP-TRAC
 6. Study Name: Tacoma Smelter Plume (“TSP”) Tracer Study
 7. Details and related records of the forgoing Ecology File Identifiers, including, but not limited to, study and location details; field collection details, sources, parameters, and results; field activity and method details; lab results; reports, plans, studies, permits, applications, documents, and related items; and correspondences as it relates to the forgoing Ecology File Identifiers
3. Requested Records, including, but not limited to, all staff reports, plans, studies, permits, applications, documents, and related items, for terms:
 1. Alan Black
 2. Cascade Land Conservancy (“CLC”)¹
 3. Forterra²
 4. Forterra Property³
 5. Kent Side Hill
 6. Kent Side Hill Trail
 7. Kent Sidehill LLC⁴
 8. WinCo Property⁵
4. Requested Records and all correspondence, regardless of medium or subject matter, including, but not limited to, notices, letters, and emails, as well as attachments thereto, to and from the following persons and email addresses⁶:

Name	Email Address
Alan Black	AlanFBlack@hotmail.com
Adam Draper	ADraper@forterra.org AdamD@cascadeland.org

¹ Cascade Land Conservancy (“CLC”) is now known as Forterra

² Forterra was formerly known as Cascade Land Conservancy (“CLC”)

³ Land and improvements, if any, on King County Tax Parcel No. 0722059004 (“Forterra Property”)

⁴ Similar terms with varying typography, punctuation, phonetic spelling, hyphenation, and compounds should also be searched. For example, “Kent Sidehill LLC” and “Kent Side Hill LLC” should both be searched, among other possible combinations.

⁵ Land and improvements, if any, on King County Tax Parcel No. 0722059049 (“WinCo Property”)

⁶ Requested Records to and from other email addresses used by those referred to herein (i.e. all other email addresses for that person), irrespective of whether their email address is written in this Request, should also be provided.

Ben Wolters	BWolters@kentwa.gov
Brennan Taylor	BTaylor@kentwa.gov
Bruce Matlack	BMatlack@kentwa.gov
Chad Bieren	CBieren@kentwa.gov
Charlene Anderson	CAnderson@kentwa.gov
Craig Krueger	CJKrueger@live.com
Dan Grausz	DGrausz@forterra.org DanG@cascadeland.org DanGrausz@gmail.com DanGrausz@forterra.org
Darcey Hughes	DHughes@forterra.org DarceyH@cascadeland.org
Duana Kolouskova	Kolouskova@jmmlaw.com
Fred Satterstrom	FSatterstrom@kentwa.gov
Gene Duvernoy	GDuvernoy@forterra.org GeneD@cascadeland.org
Ingrid Willms-Dixon	IDixon@kentwa.gov
Jeff Watling	JWatling@kentwa.gov
Jon Giles	JGiles@kentwa.gov
Katie Graves	KGraves@kentwa.gov
Kurt Schlimme	KSchlimme@forterra.org KurtS@cascadeland.org
Lindsay Malone	LMalone@forterra.org LindsayM@cascadeland.org
Matthew Gilbert	MGilbert@kentwa.gov
Michelle Connor	MConnor@forterra.org MichelleC@cascadeland.org
Michelle Laird	MLaird@forterra.org MichelleL@cascadeland.org
Mike Mactutis	MMactutis@kentwa.gov
Nick Cilluffo	NCilluffo@forterra.org NickC@cascadeland.org
Ozzie Carrasquilla	OCarrasquilla@kentwa.gov
Paul Leavitt	PLEavitt@forterra.org PaulL@cascadeland.org PLEavitt01@msn.com
Stephen Lincoln	SLincoln@kentwa.gov
Valerie Gray	VGray@forterra.org ValerieG@cascadeland.org

Although a written reply is requested and expected, should you have any questions or require further clarification, I can be reached by email or phone as first written above.

We thank EPA for its time and look forward to hearing from you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Siddharth Jha", is positioned above the printed name.

Siddharth Jha
Managing Director
Pier 67 Capital Partners, L.P.